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Before the

FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Revision of Part 97 of the Rules)
Governing the Amateur Radio)
Services Concerning Granting of)
Temporary Operating Privileges)
with Appropriate Station)
Identification)

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: The Commission

PETITION FOR RULE MAKING

The Western Carolina Amateur Radio Society/VEC, Inc. (WCARS/VEC), pursuant to Section 1.401 of the Commission's Rules, hereby respectfully requests that the Commission issue a Notice of Proposed Rule Making at an early date, effecting changes in Part 97 of the Commission's Rules governing the Amateur Radio Services in accordance with the attached Appendix, so as to permit a person who does not hold any of the 5 classes of operator licenses but who holds a Certificate of Successful Completion of Examinations (CSCE), indicating that the person has completed the necessary requirements for an operator license within the previous 365 days is authorized to exercise the rights and privileges of such license pending physical receipt of said document from the Commission. The intent of WCARS/VEC in submitting this petition is to further the stated goal of the Commission to provide the best service to the public in the most efficient, uncomplicated, timely, and courteous manner possible.

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Further, we believe there is convincing evidence that a large segment of the amateur service community including the Volunteer Examiner Coordinators (VECs), desire the initiation of a rule making proceeding on this matter. As good cause for its petition, WCARS/VEC states as follows:

1. In accordance with Section 97.9(b) of the Rules and Regulations, the Commission presently authorizes a license holder to exercise the rights and privileges of a higher class license solely on the basis of possession of a CSCE which indicates successful completion of the requirements of such higher class of license, and in accordance with Section 97.119(e), specific indicators are prescribed for use with assigned call signs when a person exercises the privileges authorized by Section 97.9(b).

This rule has been in effect for several years and has afforded the Commission sufficient time to monitor its use and effectiveness. We believe the results achieved by application of these specific Rules and Regulations over a long period of time has demonstrated accomplishment of the stated goal of the Commission and that such provisions have not disturbed the efficacy of the Commission's Amateur Radio License issuance procedures.

This Petition is consistent with the above stated long standing Rules and Regulations of the Commission in that it provides that a person who does not hold any of the 5 classes of operator licenses but who holds a CSCE indicating that the person completed necessary examinations within the previous 365 days is authorized to exercise the privileges of such earned operator class pending physical receipt of an operator license. The CSCE or a photocopy thereof must be in the personal possession of the examinee at all times when the person is performing the duties of the control operator of an amateur station.

The temporary call sign to be used by such person pending receipt of their permanent call sign will be WZ, followed by the number of the VEC region containing the testing site¹ as listed in Appendix 2 of FCC Part 97, followed by the first letter of their given name, and the first letter of their middle name or initial, and the first letter of their surname. The letter Z will be used to represent the middle name or initial if the individual in fact has neither. In addition, a person exercising these provisions of the Rules and Regulations will affix to this temporary call sign, where appropriate, the indicators KT, AG, AA or AE as presently provided in Section 97.119(e) of the Rules and Regulations.

¹ An alternate controlling factor of the region to be indicated could be the examinee's mailing address of record, as shown on the pending Application for Amateur Radio Station and/or Operator License FCC Form 610.

2. This Petition for immediate operator privileges of persons who have met qualifications established by the Commission is consistent with the procedures established by the Commission during introduction of the Citizens Band Operator privileges in that a formulated call sign was used by petitioners upon filing applications with the FCC and pending receipt of their call sign from the Commission.

In the case of this Petition, the Commission has the additional assurance that the person receiving expedited operator privileges has been tested at a VEC coordinated testing session which was administered in accordance with procedures acceptable to the Commission, including appropriate screening and approval of the examiners by the coordinating VEC, and the person has been found qualified to exercise the control operator privileges being extended.

3. Because of the frequency of VEC coordinated testing sessions being held within reasonable travel distances, many candidates are now upgrading to higher and higher class licenses prior to receipt of their assigned call sign from the Commission. In fact, a recent candidate at a WCARS/VEC coordinated testing session passed all examination elements at one testing session.

In all instances where an applicant qualifies for the issuance of an initial amateur operator license, and these cases are more numerous following introduction of the codeless Technician license, the candidate under normal circumstances must wait one to two months before being permitted to exercise the operating privileges they have earned.

Granting of this Petition would further enhance the goal of the Commission of providing excellence of service to the public.

4. At present, whether due to the mails or the different geographical location of examinations in respect to the location of the coordinating VEC through which the resulting paperwork must be processed on its sometimes circuitous route to the Commission's Licensing Division, it is not possible to obtain uniformity in the examinee's waiting period for receipt of their initial license from the Commission's Licensing Division. For whatever reason or cause, there is constant confusion on the part of examinees as to why someone else passed an examination at the same testing session or on or about the same date in the same city or another city or even in another state and they have already received their call sign and are on the air, while the examinee in question still waits.

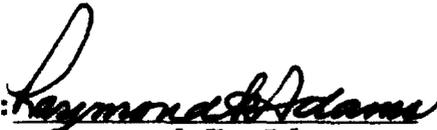
Granting of this Petition would effect a cost saving for the Commission staff from the resultant reduction in telephone contacts generated by the impatient anxiety of the "licensees in waiting" to exercise the rights and privileges of licenses they have earned. At the same time, the Commission's Rules and Regulations responsibly contain provisions which preclude any relaxation on the part of VECs in regard to the time frames permitted in processing a candidate's Application For Amateur Radio Station/Operator License, FCC Form 610.

5. The Amateur Radio Service has benefitted from the Commission's accommodation to licensed radio operators by granting permission for them to exercise higher operator class privileges prior in the time frame between their successfully passing the appropriate examination and their physical receipt of such higher class license as provided in Section 97.9 of the Rules and Regulations.

Therefore, the foregoing considered, the Western Carolina Amateur Radio Society/VEC, Inc. respectfully requests that the Commission issue a Notice of Proposed Rule Making at an early date permitting a non-license holder of a Certificate of Successful Completion of Examination to exercise the stated control operator privileges prior to receipt of their initial operator license in accordance with the provisions outlined in the attached Appendix.

Respectfully submitted,

Western Carolina Amateur
Radio Society/VEC, Inc.

By: 
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APPENDIX

1. Section 97.9 Operator license.

Add 97.9(c) to read as follows:

(c) A person who does not hold any of the 5 classes of operator licenses but who holds a CSCE indicating that the person completed the necessary examinations within the previous 365 days is authorized¹ to exercise the rights and privileges of the earned operator class license pending physical receipt of an operator license. The Certificate of Successful Completion of Examination or a photocopy thereof must be in the personal possession of the examinee at all times when the person is performing the duties of the control operator of a station. The temporary call sign to be used pending receipt of their permanent call sign will be WZ, followed by the VEC region number listed in Appendix 2 of FCC Part 97, followed by the first letter of their given name, and the first letter of their middle name or initial, and the first letter of their surname. The letter Z will be used to represent the middle name or initial if in fact the individual has neither.

2. Section 97.119 Station identification

Amend 97.119(1),(2),(3) and (4) to read as follows:

(1) For a control operator who has requested a license modification from Novice Class to Technician Class, or an examinee who does not possess an operator license but does possess a CSCE dated within the last 365 days which indicates successful completion of the requirements for a Technician Class license: KT;

(2) For a control operator who has requested a license modification from Novice or Technician Class to General Class, or an examinee who does not possess an operator license but does possess a CSCE dated within the last 365 days which indicates successful completion of the requirements for a General Class license: AG;

(3) For a control operator who has requested a license modification from Novice, Technician or General Class to Advanced Class, or an examinee who does not possess an operator license but does possess a CSCE dated within the last 365 days which indicates successful completion of the requirements for an Advanced Class license: AA;

(4) For a control operator who has requested a license modification from Novice, Technician, General or Advanced Class to Amateur Extra Class, or an examinee who does not possess an operator license but does possess a CSCE dated within the last 365 days which indicates successful completion of the requirements for an Amateur Extra Class license: AE.

¹ The commission may wish to consider inserting wording here to preclude such operations by any person who has ever had an FCC-issued license suspended or revoked.